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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/231,415	01/14/1999	DON P. WOLFE	AUTOB.043A	3041

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EXAMINER

COLBERT, ELLA

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 12/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/231,415

Applicant(s)

WOLFE ET AL.

Examiner

Ella Colbert

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-41 and 77-86 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-41 and 77-86 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☒ Interview Summary (PTO-413) Paper No(s). 14 .
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) ☐ Other:

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DETAILED ACTION

1. Claims 26-41 and 77-86 are pending in this communication in response to the Interview on 10/29/03. The non-final rejection of 08/05/03 has been withdrawn in view of the new rejection(s) here below.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 83, and 84 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 recites "..., each purchase request belonging to at least one set and fewer than all sets;". It is not clear in the claim language what Applicants' mean by the "at least one set and fewer than all sets". Do Applicants' mean "at least one set of purchase requests and fewer than all sets of purchase requests"? Claim 83, recites "... wherein each purchase request belongs to only one set". It is not clear what Applicants' mean by "... wherein each purchase request belongs to only one set". Do Applicants' mean "... wherein each purchase request belongs to only one purchase request set" or "... wherein each purchase request belongs to only one set of purchase requests"? Claim 84 reciting "..., wherein each set is stored in one database region" has a similar problem.

37 CFR 1.75 Claim Objection

4. Claim 30 is objected to under 37 CFR 1.75 as being a duplicate of claim 31 and claim 38 is a duplicate of claim 39. When two claims in an application are duplicates or

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else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a duplicate of the allowed claim according to MPEP 7.06.03(k). Applicant is advised that should claims 30 and 38 be found allowable, claims 31 and 39 will be objected to under 37 CFR 1.75 as being a duplicate thereof. Claims 30 and 31 are duplicate claims reciting the same limitation and depending on the same dependent claim 29. Claims 38 and 39 depend on claim 37 and are so close in content that they both cover the same thing, despite a slight difference in wording.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claim 26-41 and 77-83 are rejected under 35 U.S.C. 102(b) as being anticipated by (US 5,794,207) Walker et al, hereafter Walker.

With respect to claim 26, Walker teaches, a purchase request management system, wherein said purchase request is remotely managed by a user over a computer network, said purchase request management system comprising:

a system database comprising a plurality of set of purchase requests received from potential buyers and stored in the database, each of purchase requests associated with one of a plurality of dealers, each purchase request belonging to at least one set and fewer than all sets (col. 12, lines 56-67, col. 13, lines 1-22, col. 16, lines 49-58, col.

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17, lines 48-64, and fig. 2 (elements 255, 260, 265, 267, 270, 275, 280, 285, 290, & 295)) and a purchase request management module that permits each dealer to access and manage only the set of purchase requests associated with the dealer (col. 11, lines 45-51 and lines 66-67, col. 12, lines 1-2, and col. 13, lines 1-10).

With respect to claims 27 and 35, Walker teaches, the management system as additionally comprising a dealer terminal, said dealer terminal displaying a split screen and the split screen lists the purchase requests on one side and a purchase request detail on the other side (col. 14, lines 66-67, col. 15, lines 1-9, col. 16, lines 3-45, and fig. 1 (elements 300 & 350)).

With respect to claims 28 and 36, Walker teaches, wherein said list of purchase requests includes an assigned user (col. 16, lines 51-62).

With respect to claims 29 and 37, Walker teaches, wherein said purchase request details includes a purchase request task list (col. 18, lines 17-67 and col. 19, lines 1-12).

With respect to claims 30, 31, 38, and 39, Walker teaches, wherein said purchase request task list includes an assigned user (col. 19, lines 29-45).

With respect to claims 32, 33, 40, and 41, Walker teaches, wherein said user is a sales manager (col. 18, lines 59-66).

With respect to claim 34, Walker teaches, a purchase request management system comprising: means for storing a plurality of sets of purchase requests received from potential buyers, wherein each set of purchase requests is associated with one of a plurality of dealers and each purchase request belongs to at least one set and fewer

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than all sets (col. 12, lines 56-67, col. 13, lines 1-22, col. 16, lines 49-58, col. 17, lines 48-64, and fig. 2 (255, 260, 265, 267, 270, 275, 280, 285, 290, & 295)); means for listing only the set of purchase requests (col. 18, lines 60-67 and col. 19, lines 1-12); means for selecting said purchase request (col. 19, lines 13-28); means for displaying details of the listed set of purchase requests (col. 19, lines 10-12 and lines 45-60).

With respect to claim 35, this dependent claim is rejected for the similar rationale given above for claim 27.

With respect to claim 36, this dependent claim is rejected for the similar rationale given above for claim 28.

With respect to claim 37, this dependent claim is rejected for the similar rationale given above for claim 29.

With respect to claim 38, this dependent claim is rejected for the similar rationale given for claim 30.

With respect to claim 39, this dependent claim is rejected for the similar rationale given above for claim 31.

With respect to claim 40, this dependent claim is rejected for the similar rationale given above for claim 32.

With respect to claim 41, this dependent claim is rejected for the similar rationale given above for claim 33.

With respect to claim 77, Walker teaches, wherein a user remotely accesses the management system (col. 16, lines 3-29).

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With respect to claim 78, Walker teaches, wherein accessing and managing purchase requests as permitted by the purchase request management module includes storing a status indicator associated with each purchase request (col. 16, lines 49-58).

With respect to claim 79, Walker teaches, wherein the status indicator is selected from a group including at least quoted, pending, and sold (col. 17, lines 56-64).

With respect to claim 80, Walker teaches, wherein accessing and managing purchase requests as permitted by the purchase request management module includes associating a task with a purchase request (col. 15, lines 46-52).

With respect to claim 81, Walker teaches, wherein accessing and managing purchase requests as permitted by the purchase request management module includes assigning a task to a user (col. 15, lines 52-59 and col. 16, lines 3-11).

With respect to claim 82, Walker teaches, wherein accessing and managing purchase requests as permitted by the purchase request management module includes assigning a priority level to a purchase request (col. 16, lines 31-45 and lines 53-55).

With respect to claim 83, Walker teaches, wherein each purchase request belongs to only one set (col. 17, lines 48-56).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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8. Claims 84-86 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of (US 5,940,807) Purcell.

With respect to claim 84, Walker fails to teach, further comprising a plurality of distinct database regions, wherein each set is stored in one database region.

Purcell teaches, further comprising a plurality of distinct database regions, wherein each set is stored in one database region (col. 3, lines 50-57). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a plurality of distinct database regions, wherein each set is stored in one database region and to modify in Walker because such a modification would allow Walker to have an information management system with the information management system as a computer having information processing and storage capabilities.

With respect to claim 85, Walker fails to teach, wherein each database region is associated with one dealer.

Purcell teaches, wherein each database region is associated with one dealer (col. 4, lines 51-64). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have each database region associated with one dealer and to modify in Walker because such a modification would allow Walker to have an information management system that operates in a database format in which information pertains to a particular product of service item and is maintained as one of a plurality of records of the database.

With respect to independent claim 86, this claim is rejected for the similar reason as given above for claims 26, 80, 84, & 85.


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Inquiries

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 703-308-7064. The examiner can normally be reached on Monday-Thursday from 6:30 am -5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1038. The fax phone number for the organization where this application or proceeding is assigned is 703-305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.


E. Colbert
December 15, 2003